

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 17, 1999

DIVISION ONE

B126145 VPS Management, Inc. (Not for Publication)
v.
Pacific Rim Assurance Company

The judgment is affirmed. The parties are to bear their own costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

B124617 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B121179 People (Not for Publication)
v.
Crampton

We affirm the judgment. We remand with directions that the trial court correct the abstract of judgment to reflect the two fines that were imposed, and transmit a copy of the corrected abstract to the Department of Corrections.

Ortega, J.

We concur: Spencer, P.J.

March 17, 1999-Continued

Vogel (Miriam A.), J.

March 17, 1999-Continued

DIVISION ONE (Continued)

B117812 Utomakili (Not for Publication)
v.
Hudson Aviation Services

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B122743 Los Angeles County, D.C.S.
v.
Adelaido C.

Filed order modifying opinion and certifying opinion for publication. (No change in the judgment)

DIVISION TWO

B114818 Hirt (Not for Publication)
v.
E.I. DuPont De Nemours & Company

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

March 17, 1999-Continued

DIVISION TWO (Continued)

B114822 Hirt (Not for Publication)
v.
American Cyanamid Company

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Zebrowski, J.

B114826 Hirt (Not for Publication)
v.
Pharmacia Inc.

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Zebrowski, J.

B114824 Hirt (Not for Publication)
v.
Birstol-Myers Squibb Company

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Zebrowski, J.

March 17, 1999-Continued

DIVISION TWO (Continued)

B114819 Hirt (Not for Publication)
v.
Mallinckrodt Medical, Inc.

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

B114169 Hirt (Not for Publication)
v.
Amoco Chemical Company

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Zebrowski, J.

B114825 Hirt (Not for Publication)
v.
Shell Oil Company

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Zebrowski, J.

DIVISION TWO (Continued)

B121553 People (Not for Publication)
v.
Fryer

The Court:

The judgment is modified to provide for a \$200 parole revocation fine pursuant to section 1202.45 , that fine to be suspended unless appellant's parole is revoked, and the abstract of judgment is to be amended to so reflect. In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Petersen, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B119737 Baker v. Mentzer
B123396 Mason v. Poe
B117940 People v. Ware
B118871 People v. Thomas
B114236 People v. Green
B109811 People v. Giraldo
B123971 People v. Jose A.
B119713 People v. Corona
B120589 People v. Fairfield
B117784 Nwanonenyi v. Ihesiaba
B122350 People v. Rodriguez, et al.
B125384 Dept. of Children & Family Services v. Byron L.
B124877 Dept. of Children & Family Services v. Nicole B.
B120168 People v. Nelson

Argument waived, cause submitted.

DIVISION THREE (Continued)

B120604 Buchanan
 v.
 Texaco, Inc., et al.

Merits:
Argued by Jonathan S. Vick for appellant and by John M. Moscarino for respondent. Cause submitted.

B113279 People
 v.
 Walker

Merits:
Argued by James H. Barnes for appellant and by Chung L. Mar, deputy attorney general for respondent. Cause submitted.

B119652 People
 v.
 Gomez

Merits:
Argued by Michael T. Shannon for appellant and by Joseph P. Lee, deputy attorney general for respondent. Cause submitted.

B117069 Langan
 v.
 City of El Monte

Merits:
Argued by Daniel A. Dobrin for appellant and by Steven R. Pingel for respondent. Cause submitted.

B117639 Dawson
 v.
 The Aerospace Corporation

Merits:
Argued by Linda M. Lawson for appellant and by Michael Fabert for respondent. Cause submitted.

DIVISION THREE (Continued)

The court recessed at 11:50 A.M.

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Petersen, J. (Assigned), and Valorie Gray, Deputy Clerk.

B115166 People
 v.
 Lastelley

Merits:

Argued by Mark Alan Hart for appellant and by David A. Eldridge, deputy attorney general for respondent. Cause submitted.

B116626 People
 v.
 Angeles

Merits:

Argued by Gerald V. Scotti for appellant and by Beverly Falk, deputy attorney general for respondent. Cause submitted.

B115361 Dupont
 v.
 Ford Motor Co., et al.

Merits:

Argued by Douglas Inman for appellant and by Scott Michael Leavitt for respondent. Cause submitted.

B091909 Shiri
 v.
 Franklin

Merits:

Argued by Maurice E. Franklin for appellant and by Bruce I. Favish for respondent. Cause submitted.

DIVISION THREE (Continued)

B122482 Strano
v.
New Bristol Farms, Inc.

Merits:

Argued by Kate W. Duchene for appellant and by Donald K. Hufstader for respondent. Cause submitted.

B118660 Skara
v.
Kaiser, et al.

Merits:

Argued by Tada Skara, appellant in propria persona and by Michael J. Kelly for respondent Kaiser and Dan Desario, Steven Ricklin, and Jeffrey Hoffer respondents in propria persona. Cause submitted.

The court adjourned at 3:50 P.M.

DIVISION FOUR

B097529 Notrica (Certified for Publication)
v.
State Compensation Ins. Fund

The judgment with regard to punitive damages is reversed and the matter is remanded for a new trial only on the issue of punitive damages unless, within 30 days from remand, Notrica shall file with the clerk of the court and serve upon SCIF a written consent to a reduction of the punitive damages award to the sum of \$5 million, in which event the judgment shall be modified to reflect an award of punitive damages in favor of Notrica in that amount and be affirmed in its entirety. Costs on appeal are awarded to Notrica.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FOUR (Continued)

B119755 People (Not for Publication)
v.
Corey T. Newsome

The judgment is modified to reflect a \$200 parole revocation fine, a \$50 state penalty assessment, and a \$35 county penalty assessment. In all other respects, the judgment is affirmed.

The superior court is directed to prepare an amended abstract of judgment to reflect the imposition of a \$200 restitution fine, a \$200 parole revocation fine, a \$50 laboratory analysis fee, a \$50 state penalty assessment, and a \$35 county penalty assessment. The court is further directed to prepare an amended minute order striking the recital the court found and ordered that appellant was required to “register as [a] narcotic offender with local police department or sheriff’s department.”

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B118734 People (Not for Publication)
v.
Omar Galindo Mendivil

The clerk of the superior court is ordered to correct the abstract of judgment to reflect the \$10,000 fine imposed as restitution and the \$10,000 parole revocation fine. The judgment is otherwise affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

March 17, 1999-Continued

DIVISION FIVE

B115458 John A. Meaders (Not for Publication)
v.
State of California et al.

Judgment in favor of Officer Meaders and against CHP is entered nunc pro tunc as of July 25, 1997. The judgment is affirmed. CHP is to pay Officer Meaders's costs and attorney's fees on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

[illegible]

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Burke, J. (Assigned)

March 17, 1999-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Burke, J. (Assigned)

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SEVEN

B123244 Maxwell
v.
Wilson

Filed order denying petition for rehearing.

B110382 People (Not for Publication)
v.
Brisco, et al.

As to Brisco, the judgment is modified to impose a restitution fine of \$200 and an additional \$200 fine, to remain suspended unless and until Brisco violates parole. As to Lewis, an additional \$200 fine is imposed, to remain suspended unless and until Lewis violates parole. The superior court is directed to correct the abstracts of judgment to reflect those fines and deliver the amended abstracts of judgment of the Department of Corrections. The judgments are affirmed as modified.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

March 17, 1999-Continued

DIVISION SEVEN (Continued)

B115334 Hartford Accident & Indemnity Co.

v.

Hawkins, Schnabel, Lindahl & Beck

Filed order denying petition for rehearing.